

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.25045 of 2016**

Arising Out of PS.Case No. -50 Year- 2015 Thana -BATHNAHA District- SITAMARHI

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1. Fekan Mahto Son of Hira Mahto Resident of Village- Bathnaha, PS  
Bathnaha District Sitamarhi

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Nagendra Pd. Yadav

For the Opposite Party/s : Mr. J.N. Thakur (App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR  
SINGH**

**ORAL ORDER**

4      10-08-2016

Heard learned counsels for the petitioner and the State.

The petitioner being husband of the daughter of the informant is languishing in custody since 14.3.2016 in a case registered for the offences punishable under Sections 341,307 and 498A of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act. Subsequently, section 304B IPC was added.

The prosecution case is that the informant married his daughter with the petitioner four years prior to the lodging of the case. On 23.2.2015 the informant was informed that the inlaws tried to kill his daughter and when the informant reached at the matrimonial house of his daughter, he found his daughter in serious burnt condition. Consequently, the daughter of the informant succumbed to the injuries.

It is submitted by the learned counsel for the petitioner that the victim sustained accidental burn injury and the independent witnesses have supported the factum of accidental burn injury.

It is submitted by the learned APP, after going through the case diary that as per medical report the burn injury has been found between 85 to 90 percent and the victim's family have supported the prosecution case.

Considering the thrust of accusation against the petitioner, this court is not inclined to grant bail to him in connection with Bathnaha P.S. Case No. 50 of 2015 pending in the court of learned CJM, Sitamarhi.

This application is, accordingly, dismissed. However, since the investigation has already concluded, the learned trial court is expected to conclude the trial expeditiously.

**(Dinesh Kumar Singh, J)**

Anil/-

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